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REMARKS5 **1. Abstract**

In the Office Action, the Applicants are reminded of the proper language and format for an abstract of the disclosure.

Applicants have reviewed the abstract of the disclosure for proper language and format.

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10 **2. Title**

In the Office Action, the title of the invention is objected to as not being descriptive.

15 Applicants have amended the title of the application to address the objection. Applicants respectfully submit that the amended title is descriptive of the invention to which the claims are directed and respectfully request withdrawal of the objection.

20 **3. Specification**

The Office Action states that an application in which the benefits of an earlier application are desired must contain a specific reference to the prior application in the first sentence of the specification.

Applicants have amended the specification to address the objection. Applicants respectfully request withdrawal of the objection.

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25 **4. Specification**

In the Office Action, the specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75 (d)(1) and MPEP 608.01(o). The Office Action states that Claims 49-51 and 53-61 claim an apparatus but are dependent upon a method claim 46.

30 Applicants respectfully submit that Claim 46 is an apparatus claim and not a method claim and recites, *inter alia*, means for a consumer to anonymously initiate a subscription and a consumer advice reader. Furthermore, Applicants submit that the dependencies of Claims 35 49-51 and 53-61 are proper and respectfully request withdrawal of the objection and allowance of the claims.

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5-6. Double Patenting Rejection

In the Office Action, Claims 1, 3, 6, 8, 10, 12, 32, 33, 36, 38, 40, and 42 were rejected under 35 USC 101 as claiming the same invention as that of claims 1, 9, and 10 of prior

5 U.S. Patent No. 6,263,362.

Applicants disagree for the following reasons. Independent Claims 1 and 32 recite a method and/or apparatus for remotely inspecting properties of communicating devices, comprising, *inter alia*, "one or more remote inspector methods for remotely performing any 10 of mathematico-logical calculations, executing computational algorithms, returning the results of system calls, accessing the contents of storage devices, and querying said communicating devices." (Emphasis added).

Claims 1, 9, and 10 of U.S. Patent No. 6,263,362 fail to claim a method and/or apparatus 15 for remotely inspecting properties of communicating devices, such apparatus comprising, *inter alia*, "one or more remote inspector methods for remotely performing any of mathematico-logical calculations, executing computational algorithms, returning the results of system calls, accessing the contents of storage devices, and querying said communicating 20 devices," as claimed in Claims 1 and 32 of the present application.

Thus, Applicants respectfully submit that Claims 1 and 32 are distinguishable over the cited reference and should be allowed. Claims 3, 6, 8, 10, 12, 33, 36, 38, 40, and 42, dependent directly or indirectly from independent Claims 1 and 32, respectively, are also 25 distinguishable over the cited reference and should also be allowed at least for the same reasons as stated above. As a result, Applicants respectfully request withdrawal of the rejection and allowance of the claims.

7-8. Double Patenting Rejection

In the Office Action, Claims 2, 4, 5, 7, 9, 11, 13-31, 34, 35, 37, 39, 41, and 43-61 were 30 rejected under the judicially created doctrine of obviousness-type double-patenting as being unpatentable over Claims 1-24 of U.S. Patent No. 6,263,362. The Office Action stated that "(a)lthough the conflicting claims are not identical, they are not patentably distinct from each other because they claim the same subject matter."

35 Applicants have filed herein a Terminal Disclaimer in compliance with 37 CFR 1.321(c), to overcome the rejection based on a nonstatutory double patenting, since the alleged

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conflicting U.S. Patent No. 6,263,362 and the present application are commonly owned. Applicants respectfully request withdrawal of the rejection and allowance of the claims.

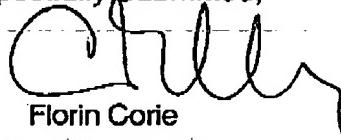
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CONCLUSION

Applicants therefore respectfully submit that Claims 1-61 overcome the objections and rejections set forth in the Office Action. Based on the foregoing, Applicants consider the invention to be in condition for allowance. Applicant earnestly solicits the Examiner's withdrawal of the objections and rejections set forth in the prior Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States Patent.

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Respectfully Submitted,



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